IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE MR. JUSTICE: **C.Y. SOMAYAJULU**

CRIMINAL PETITION No. **3076 of 2004**

Between:

1. M. Eshwaraiah @ Eswar S/o late Shankaraiah
2. Smt. M. Narasamma W/o late Shankaraiah

.. Petitioners/(Accused in Cr. 233 of P.S. Jeedimetla R.R. District)

And

The State of Andhra Pradesh, through Station House Officer, Police Station, Jeedimetla, R.R. District rep by its Public Prosecutor, High Court of A.P. Hyderabad

.. Respondent / Complainant

COUNSEL FOR PETITIONER : Mr. Gade Venkateswara Rao
COUNSEL FOR RESPONDENT : The Public Prosecutor.

Petition under Sections 437 & 439 of Cr. P.C. praying the High Court to enlarge the Petitioners herein on bail in P.R.C. No. 54/2004 on the file of the Judicial First Class Magistrate, Medchel against the Crime No. 233/2004 of Jeedimetla P.S., R.R. District pending trial.

The Court made the following :

ORDER :

" After hearing the learned counsel for the Petitioners and the learned Public Prosecutor. I find no grounds to grant bail to the first Petitioner (A-1) because the dying declaration of the deceased clearly shows that he was responsible for her death.

As for as the Second Petitioner is concerned, the dying declaring of the deceased does not show any overt act the Petitioner for her death. That apart since second petitioner, is a lady, aged 55 years, she can be granted bail.

Petition of the first Petitioner is dismissed.

Second Petitioner shall be released on bail on her executing a bond for Rs. 5,000/- (Rupees Five Thousand only) with two sureties in a like sum to the satisfaction of the Judicial magistrate of the I Class, Medchal."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial Magistrate of First class, Medchal, R.R. District
2. The Prl. Sessions Judge, Ranga Reddy District at L.B. Nagar, Hyderabad
3. The Superintendent, Central Prison, Cherlapally, R. R. District
4. The S.H.O., P.S. Jeedemetla, R. R. District
5. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad. **(OUT)**
6. One Cc to Mr.Gade Venkateswara Rao, Advocate (OPUC)
7. One spare copy.

Skm

HIGH COURT

CYSJ

DATED : 02-08-2004

BAIL

Crl. P. No. 3076 of 2004

DIRECTION

HIGH COURT

SKM
DRAFTED ON : 02-08-2004

CYS,J

DATED: 02-08-2004

BAIL

Crl. P. No. 3076 OF 2004

DIRECTION